

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
ROY JAMES HUDSPETH, )  
 )  
Defendant. )

Case No. 04-03046-01-CR-S-DW

**ORDER**

Before the Court is Defendant Roy J. Hudspeth's motion for judgment of acquittal on Count 35 (conspiring to commit the offense of money laundering), and Counts 37 and 38 (money laundering) (Doc. 469). This Court must grant a motion for acquittal if "a reasonable factfinder must have entertained a reasonable doubt about the government's proof of one of the offense's essential elements." United States v. Davis, 103 F.3d 660, 667 (8th Cir. 1996). "Where the government's evidence is equally strong to infer innocence as to infer guilt, the verdict must be one of not guilty and the court has a duty to direct an acquittal." Id. Using that standard, and after carefully considering the evidence and argument, the Court hereby DENIES the motion for judgment of acquittal. See United States v. Habhab, 132 F.3d 410, 414-15 (8th Cir. 1997); United States v. Marbella, 73 F.3d 1508, 1515-16 (9th Cir. 1996); United States v. Saffo, 227 F.3d 1260, 1269-70 (10th Cir. 2000).

IT IS SO ORDERED.

/s/ DEAN WHIPPLE

Dean Whipple  
United States District Judge

Date: June 15, 2006